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Appl. No. : 10/708,254
Applicant : John A. Crockett
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Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

Response 5/17/2008, by John A. Crockett, Applicant

Response to Office Action mailed 3/17/2008

Based on information below, 35 U.S.C. 103(a) is not reasonably applicable as the basis for rejection, and we respectfully request that objection be withdrawn

There is a vital and critical element not mentioned by either McNelly or Ouellette itemized in our section "C" of our claims, bold and highlighted below.
(1-c (Original) **drains located in all low points of the air ducts)**

A search of the Ouellette and McNelly patents looking for the word "drain" shows no occurrences of the word "drain" in either Ouellette or McNelly. Likewise, the word "condensate" is not found.

In a large scale system, that condensate can easily exceed 10,000 gallons a day, based on our hands on experience, very quickly blocking air flow, and the functionality of the entire system, aeration as well as heat capturing. Significant and vital system design engineering goes into the management of that high volume of condensate, much of which accumulates in air ducts between the compost and the heat exchanger, making it a significant detail, which must be managed for the system to work.

By October of 1999 we were capturing massive heat from a 165 cubic yard pile of food waste compost, including quickly learning that there was very significant condensate from the aeration system, prior to any heat exchangers, that had to be managed. When we originally set up the system, we did not realize the need for the drains, it was not obvious to us, until we had some hands on experience. On that system the air pressure (vacuum) was -0.250", water column, about $1/96$ psi, so that flooding of any of the air ducts would block the air flow, rendering the system non-functional. Our hands on research with our own composting systems repeatedly shows that the condensate, prior to any "heat exchanger" used for the